

**To:** Ruhl, Christopher[Ruhl.Christopher@epa.gov]  
**From:** Grantham, Nancy  
**Sent:** Sat 8/29/2015 9:28:42 PM  
**Subject:** FW: Durango Herald coverage of Friday events

**From:** Germann, Sandy  
**Sent:** Saturday, August 29, 2015 10:14 AM  
**To:** Grantham, Nancy; Gray, David; Carey, Curtis; Durant, Jennah; Harrison, Melissa; Colaizzi, Jennifer C.; Selia, Emily; Smith, Roxanne  
**Subject:** Durango Herald coverage of Friday events

1) Coverage of Animas River Stakeholder tour and 2) legal firm's public meeting in Durango

<http://www.durangoherald.com/article/20150828/NEWS01/150829577/Source-of-Gold-King-Mine-water-a-mystery>

### **Source of Gold King Mine water a mystery**

La Plata County commissioners get tour of site

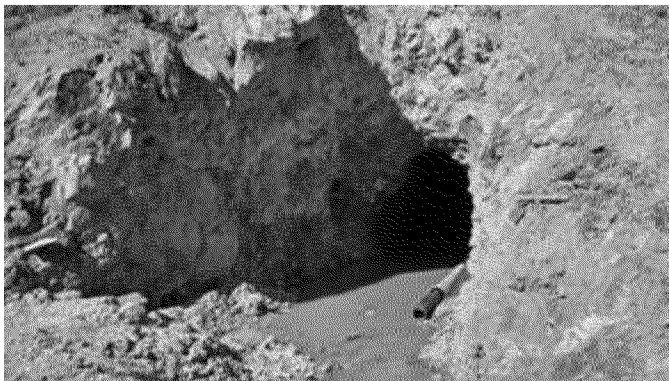


Photo by: Jessica Pace/Durango Herald

As of Friday, the Gold King Mine continued to spew about 600 gallons of wastewater per minute. The water is being treated before being released into Cement Creek, a tributary of the Animas River. Mine workers are uncertain why so much water is spilling out of the exposed mine.

By Jessica Pace

Herald Staff Writer

SILVERTON – More than three weeks after the Gold King Mine shaft was breached, on-site workers remain uncertain about where all the water is coming from.

On Friday, La Plata County commissioners Julie Westendorff and Brad Blake toured the mine site with on-scene coordinator Steve Wade of the Environmental Protection Agency.

Commissioners planned to tour the leaky site several months ago before contract workers accidentally discharged an estimated 3 million gallons of acidic wastewater Aug. 5, but that tour never took place.

The portal, Wade said Friday, is emitting about 600 gallons of water per minute – a development that followed the spill. The stagnant water near the mouth of the mine has an orange hue. Nearby rocks are stained from the blowout. The water turns clearer as it flows downhill into four treatment ponds.

The road leading to the mine was partially wiped out by the blowout, and some of the 30 workers on scene are trying to make it more accessible.

Animas River Stakeholders Group coordinators said in years past, the mine would, at most, emit 250 gallons per minute. Officials have not identified the specifics behind the heavier flow.

An EPA-contract team caused the spill by improperly estimating water pressure behind a dirt

barrier above the mine portal holding back the orange sludge.

Now, contractors and officials are working on a tight deadline for remediation over the next six weeks as they explore long-term solution options for treating the wastewater.

A solution could involve bulkheads – or thick concrete barriers that hold back water – or a wastewater-treatment system, which could cost more than \$1 million annually to operate.

“Treating water forever is an option out there, but it requires a whole lot of money and planning to get there,” Wade said.

ARSG members have withheld opinions on Superfund money for Silverton, though 25-year Durango area resident Clark Lagon said the town needs federal funding.

“They’re worried about their reputation if they get Superfund, but they’ve already lost it,” he said. “I hold both the EPA and Silverton responsible. They should have addressed this a long time ago.”

As officials work to upgrade the portal and surrounding area before the winter, they hope to uncover unknowns about the mine, including why it is discharging so much water.

“We’re producing more water now than we ever have out of this portal that we know of, maybe two or three times as much,” ARSG co-coordinator Steve Fearn said.

“What the hell is going on? That’s the question.”

On Friday, the EPA also released additional sampling data from the San Juan River in the Navajo Nation, reiterating that water conditions have trended to pre-spill status.

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<http://www.durangoherald.com/apps/pbcs.dll/article?AID=/20150828/NEWS01/150829613/-1/null&template=printpicart>

## **Stigma' from Gold King Mine spill into the Animas River could linger**

Businesses may be able to recoup losses

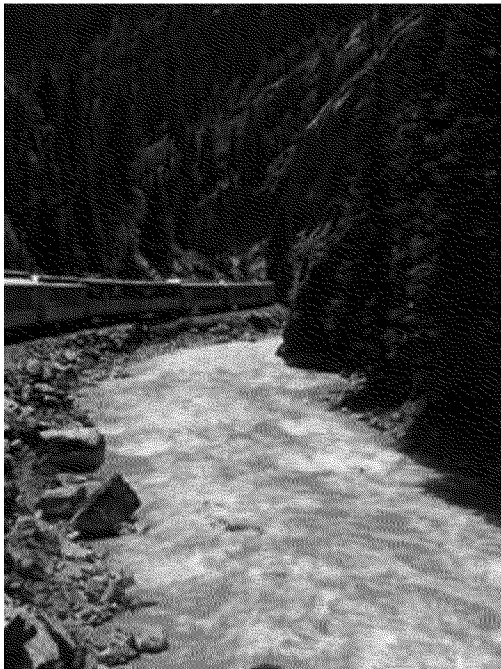


Photo by: Courtesy of Jill Womack

Passengers aboard the Durango & Silverton Narrow Gauge Railroad were among the first to see the mustard-yellow mine wastewater in Animas River after the Aug. 5 accident at the Gold King Mine. In the days after the spill, some train passengers canceled their trips. Almost a month after the spill, some tourists are still calling ahead to ask if Durango's drinking water is safe.

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**By Jonathan Romeo**  
**Herald Staff Writer**

Unsure of the economic losses the “stigma” of the Gold King Mine spill will have on businesses and property owners, an environmental litigation firm held a discussion Friday about the rights and remedies for affected interests.

Because the Environmental Protection Agency set off an estimated 3 million gallons of contaminated mine runoff while trying to improve conditions at the mine, financially impacted parties can apply for reimbursements.

What complicates an already arduous application process is trying to gauge the spill’s long-term economic impact.

Some fear the frenzy of images broadcast around the world when the Animas River turned a sickly orange for more than 12 hours could have an effect for years to come.

“Stigma is the perception of the public, even after fixing the problem,” said Tom Alleman, an attorney at Dallas-based Dykema Cox Smith. “The Animas had brand damage.”

Alleman told the crowd of about 20 people Friday at the DoubleTree Hotel that the state of Colorado does allow individuals to file claims for compensation for stigma damages, but those kinds of situations aren’t common and can be subjective.

He said the law lists stigma damage as an event that is not “reputationally enhancing,” and in the case of the Gold King Mine spill, that might be easier to prove.

Jack Llewellyn, executive director at the Durango Chamber of Commerce, said it’s too early to tell the long-term effect the spill will have on the city’s tourism industry, but there is no denying the hit river-related businesses took in the immediate aftermath of the blowout.

“We definitely saw an impact, and it directly affected the river-rafting industry. It was like shutting down Main Street at Christmas time,” Llewellyn said, referencing the fact that August is a critical revenue month for summer tourism businesses.

Llewellyn added that just the other day, a woman bringing 20 senior citizens to the area called ahead to ask if the water was safe to drink, and it’s that skepticism he fears might influence other visitors to choose a different destination when making vacation plans.

Durango & Silverton Narrow Gauge Railroad Owner Al Harper said the train suffered some cancellations at first, but ridership rebounded rather quickly. Most of the railroad’s projected 183,000 riders come from outside Durango.

He’s more concerned about how stakeholders of the mining network north of Silverton will implement a wastewater-treatment plan.

And that brings in yet another layer of “stigma” in connection to the Gold King Mine spill: a Superfund listing, which is an EPA program that cleans up hazardous waste sites.

Since the spill, there has been considerable pushback from Silverton residents who believe visitors will fear and avoid the small tourism town if it is designated a "Superfund" site and prefer to explore other options.

However, those in favor of the Superfund argue the stigma of a town that refuses to clean up once and for all a history of unregulated mining regulations that have tainted the Animas for decades is far worse.

Harper, who also owns a hotel in Silverton, said residents of the town may be more open to the Superfund designation if the EPA draws clear lines of where the boundary extends.

"Let's face it, the city limits of Silverton have not been polluting the river," he said. "We need to make clear the mining area is a Superfund; Silverton is not."

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